

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

SHIRLEY L. PHELPS-ROPER,

Plaintiff(s),

vs.

CITY OF BERKELEY, MISSOURI,

Defendant(s).

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

Case No. 4:09CV1296 JCH

**ORDER**

**IT IS HEREBY ORDERED** that the Entry of Default by Clerk of Court (Doc. No. 10) is **VACATED**.

**IT IS FURTHER ORDERED** that Plaintiff's Motion for Default Judgment (Doc. No. 11) is **DENIED** without prejudice.

**IT IS FURTHER ORDERED** that Defendant is granted until **Friday, October 9, 2009**, within which to file its response to Plaintiff's Motion for Preliminary Injunction (Doc. No. 2).

**IT IS FURTHER ORDERED** that Defendant is granted until **Friday, October 9, 2009**, within which to file its response to Plaintiff's Motion for Partial Summary Judgment (Doc. No. 6).

**IT IS FURTHER ORDERED** that Plaintiff is granted until **Friday, October 23, 2009**, within which to file her reply in support of her Motion for Preliminary Injunction (Doc. No. 2).

**IT IS FURTHER ORDERED** that Plaintiff is granted until **Friday, October 23, 2009**, within which to file her reply in support of her Motion for Partial Summary Judgment (Doc. No. 6).

**IT IS FURTHER ORDERED** that this matter is set for a hearing on Plaintiff's Motion for Preliminary Injunction (Doc. No. 2) on **Tuesday, November 10, 2009**, at **9:30 a.m.** in the courtroom of the undersigned.

Dated this 17th day of September, 2009.

/s/ Jean C. Hamilton  
UNITED STATES DISTRICT JUDGE